



STATE OF UTAH
NATURAL RESOURCES
Oil, Gas & Mining

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June 14, 1985

TO: Lowell P. Braxton, Administrator, Mineral Resource
Development and Reclamation Program

FROM: Dianne R. Nielson, Director *DN*

RE: Request for Variance, Ideal Basic, Devil's Slide
Operation, ACT/029/001, Morgan County, Utah

This will substantiate our conversation of June 14, 1985 wherein I verbally gave permission to grant a variance for the cement plant located at the above-captioned mining operation.

A review of Mined Land Reclamation Rule 40-8-6 substantiates that, among other things, smelting or refining operations are not included as mining operations. A definition of refining by the U. S. Bureau of Mines reads as follows:

"A term sometimes applied to the plant in which metal or valuable mineral is extracted from ore or concentrate. Usually such a plant would be described as an extraction plant or a chemical treatment plant."

Based upon that definition, the Ideal Basic Cement Plant would not qualify as a chemical treatment plant, and thusly, constitute a portion of the mining operation to be regulated by the Division of Oil, Gas and Mining. A variance may be granted to the Ideal Basic cement plant at Devil's Slide on this basis.

btb
cc: Ron Daniels
Sue Linner
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